

REMARKS

Claims 13, 15, 17-23, 25-28, 30 and 31 are currently pending. Claims 13, 25, 27, 30 and 31 are amended. Claim 29 is cancelled. No new matter is presented. In view of the above amendments and the following remarks, Applicants submit that claims 13, 15, 17-23, 25-28, 30 and 31 recite patentable subject matter. Accordingly, Applicants request the favorable consideration and allowance of claims 13, 15, 17-23, 25-28, 30 and 31.

Applicants acknowledge the Examiner for the telephonic interview conducted on August 23, 2005. In the interview, the rejection of claims 13 and 25 in view of Nagashima was discussed. No agreement was reached with respect to the claims.

Claims 29 is objected to as being in improper dependent form for failing to further limit the subject matter of a previous claim. Claim 29 is cancelled. Therefore the objection to claim 29 is moot.

Claims 27 and 31 are objected to for containing informalities. Specifically, the Examiner indicates that the feature of "moving the two motors to their lowest magnification" is not accurate. Claims 27 and 31 are amended to more clearly recite the features of the claimed invention. No new matter is presented. Therefore, Applicants request the withdrawal of the objection to claims 27 and 31.

The Examiner rejected claims 13-15, 17-21, 23 and 25 under 35 U.S.C. 103(a) as being obvious over Admitted Art in view of Nagashima (US Patent No. 5,742,735) and Kaneda (US Patent No. 5,973,857). Applicant has amended the claims to more clearly distinguish the present invention. Based on these newly amended claims, Applicant respectfully traverses the rejection.

Independent claims 13 and 25 are amended to recite an arrangement having a control unit that is operable to control the driving motors and the first and second moving lenses without regard to the position of the specimen to be observed. In the claimed invention, the first and second moving lenses L1 and L2 are independently controlled by direct driving motors LA1 and

LA2, respectively. The motors LA1, LA2, in turn, are controlled by a control unit AE. These motors are very precise motors that have step-wise resolution. In other words, each step in a turn can be controlled for very precise movement of the lenses. Based on a mathematical controlling curve which defines the position of the two lenses at every zooming position, a control unit knows exactly how many steps are needed for each motor to obtain a particular zooming position. In addition, the control unit is operable to control the driving motors and the lenses without regard to the position of a specimen to be observed.

Nagashima is directed to a video-camera imaging-system lens barrel which includes a two-group type lens system a first lens group 2 and a second lens group 3, which are in focus in an imaging place for each magnification at fixed substance distances and are controlled such that they move along the zoom tracking curves which represents the paths of movement of the respective positions of the first lens group and the second lens group.

Kaneda discloses a zoom lens in which a lens group is driven in response to an operation member provided on a body to which the zoom lens is attached. The system includes a rotary manual ring disposed on the lens barrel, and driving part is arranged to drive the lens group in accordance with a rotating state of the manual ring.

Although Nagashima discloses the controlling of a two-group lens system, Nagashima requires that the subject distance does not vary and no out-of focus state is generated even during the zooming. (See Column 3, Lines 22-24). Since the subject specimen distance cannot vary, Nagashima does consider the position of the specimen observed. Thus, Nagashima does not teach or suggest a control unit that controls the driving motors and the first and second moving lenses without regard to the position of the specimen observed. It is further submitted that Kaneda fails to cure the deficiencies of Nagashima. Therefore, Applicants submit that the combination of the cited references fail to teach or suggest the features recited in claims 13 and 25.

Claims 15, 17-21, 23, 26, 28 and 30 are dependent upon claims 13 and 25. Therefore, it is submitted that claims 15, 17-21, 23, 26, 28 and 30 recite patentable subject matter for at least the reasons mentioned above. Accordingly, Applicants request the withdrawal of the rejection of claims 15, 17-21, 23, 26, 28 and 30 under 35 U.S.C. 103(a).

The Examiner rejected claim 22 under 35 U.S.C. 103 under Admitted prior art in view of Nagashima and Kaneda and further in view of Pensel (US Patent No. 5,867,308). Applicants submits that since claim 22 is dependent upon claim 13, claim 22 recites patentable subject matter for at least the reasons mentioned above. Therefore, Applicants request the withdrawal of the rejection of claim 22 under 35 U.S.C. 103(a).

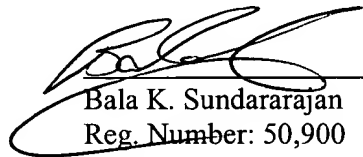
Claims 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admission in view of Nagashima et al. and Kaneda as applied to claims 26 and 30 and further in view of Hirasawa (U.S. Patent No. 5,570,236).

Claims 27 and 31 are dependent upon claims 13 and 15. Therefore, Applicants respectfully submit that claims 27 and 31 recite patentable subject matter for at least the reasons mentioned above. Therefore, Applicants request the withdrawal of the rejection of claims 27 and 31 under 35 U.S.C. 103(a).

Based upon the above amendments and remarks, Applicant respectfully requests reconsideration of this application and its earlier allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,

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